IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 76589-M of 2006

Ashish Aggarwal

.... PETITIONER

Versus

State of Punjab

..... RESPONDENT

Crl. Misc. No. 77140-M of 2006

Kamaljit Singh

.... PETITIONER

Versus

State of Punjab

..... RESPONDENT

Crl. Misc. No. 78020-M of 2006

Jaswinder Singh

.... PETITIONER

Versus

State of Punjab

..... RESPONDENT

DATE OF DECISION : 08.02.2007

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. G.S. Sandhawalia, Advocate,
for petitioner Ashish Aggarwal.

Ms. Monika Jalota, Advocate,
for petitioner Kamaljit Singh.

Mr. Rajnish Narula, Advocate,
for petitioner Jaswinder Singh.

Mr. N.S. Gill, AAG, Punjab.

This order shall dispose of Crl. Misc. No. 76589-M, 77140-M and 78020-M of 2006, filed by Ashish Aggarwal, Kamaljit Singh and Jaswinder Singh, respectively, under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail in case FIR No. 197 dated 18.11.2006 under Sections 406/409 IPC, registered at Police Station Sultanpur Lodhi.

I have heard counsel for the parties and have gone through the contents of the FIR as well as the order dated 29.11.2006, passed by Sessions Judge, Kapurthala, whereby bail applications of the petitioners have been dismissed.

Counsel for the petitioners contend that the firm of petitioner Ashish Aggarwal was given a contract in the month of October, 2004 for demolishing 12 barracks in Police Station, Sultanpur Lodhi. This contract was executed and the payment was made. After two years, the present FIR has been registered on the direction of Deputy Inspector General of Police on the ground that the aforesaid firm of petitioner Ashish Aggarwal had also demolished the adjoining old building/residence of D.S.P., Sultanpur Lodhi and defalcated the debris. It is the case of the petitioners that under the specific direction of the Deputy Inspector General of Police, the said building was demolished, as the same was adjoining to 12 barracks, which were to be demolished under the contract.

While issuing notice of motion on December 07, 08 and 12, 2006, interim anticipatory bail was granted to petitioners Ashish Aggarwal, Kamaljit Singh and Jaswinder Singh, respectively, subject to their joining investigation.

Counsel for the petitioners states that in terms of the interim orders dated December 07, 08 and 12, 2006, the petitioners have joined the investigation. The State counsel, after having instructions from Tara Chand ASI does not dispute this fact and further states that the petitioners are no more required for further investigation.

In view of the above, without commenting on the merits, the interim bail, granted vide orders dated December 07, 08 and 12, 2006, is made absolute subject to the same terms and conditions.

Disposed of accordingly.

February 08, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**